

AMENDED IN SENATE JUNE 4, 2003  
AMENDED IN ASSEMBLY APRIL 29, 2003  
AMENDED IN ASSEMBLY APRIL 9, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1408**

**Introduced by Assembly Member Wolk**  
(Coauthor: Senator Torlakson)

February 21, 2003

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An act to amend Section 21201 of, to repeal and add Section 21202 of, and to repeal Section 21208 of, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1408, as amended, Wolk. Vehicles: bicycles: equipment: operation.

(1) Existing law requires a bicycle operated on *a roadway to be equipped with brakes that meet a specified standard, and on a highway* during darkness to be equipped with certain *brakes and* lighting equipment.

This bill would *revise the standard for brakes and apply that standard to a highway. The bill would* authorize additional lighting equipment to be used in compliance with the requirement in existing law.

(2) Existing law requires a person operating a bicycle upon a ~~highway~~ *roadway* to ride as close as practicable to the right-hand curb or edge of the roadway, except as specified.

This bill would recast certain provisions in existing law relating to the operation of bicycles on ~~the highway~~ *a roadway*.

(3) The bill would make technical, nonsubstantive changes in existing law.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 21201 of the Vehicle Code is amended  
2 to read:

3 21201. (a) No person may operate a bicycle on a highway  
4 unless it is equipped with a brake that enables the operator to ~~make~~  
5 ~~one-braked-wheel-skid~~ stop the bicycle within 15 feet from a speed  
6 of 10 miles per hour on dry, level, clean pavement.

7 (b) No person may operate upon any highway a bicycle that is  
8 of a size that prevents the operator from safely stopping the  
9 bicycle, supporting it in an upright position with at least one foot  
10 on the ground, and restarting it in a safe manner.

11 (c) Every bicycle operated upon a highway during darkness  
12 shall be equipped with all of the following:

13 (1) A lamp that meets both of the following conditions:

14 (A) Is attached to the bicycle or the operator.

15 (B) Emits a white light that illuminates the highway in front of  
16 the bicycle while the bicycle is in motion and is visible from a  
17 distance of 500 feet in front of, and 300 feet from, the sides of the  
18 bicycle.

19 (2) On the rear of the bicycle, with a steady or flashing red or  
20 yellow light, or with a red or yellow reflector that meets the  
21 requirements of the Consumer Product Safety Commission for  
22 bicycle rear reflectors, or Standard J594 of the Society of  
23 Automotive Engineers for reflex reflectors.

24 SEC. 2. Section 21202 of the Vehicle Code is repealed.

25 SEC. 3. Section 21202 is added to the Vehicle Code, to read:

26 ~~21202. (a) A person operating a bicycle upon a highway at a~~  
27 ~~speed less than the speed limit for that highway or at less than the~~  
28 ~~speed of traffic moving in the same direction at that time shall ride~~  
29 ~~as close to the right-hand curb or edge of the roadway as needed~~  
30 ~~for faster traffic to overtake and pass, if that position is prudent and~~  
31 ~~reasonable, except as authorized under subdivisions (b) and (c).~~

1 ~~(b) A person operating a bicycle upon a highway with a single~~  
2 ~~direction of travel may ride as near the left-hand curb or edge of~~  
3 ~~the roadway as is prudent and reasonable.~~

4 ~~(e)–~~

5 21202. (a) In any of the following situations, a person  
6 operating a bicycle *on a roadway* may ride anywhere within the  
7 roadway that is prudent and reasonable:

8 (1) When overtaking and passing another bicycle or vehicle.

9 (2) When preparing for a left turn.

10 (3) When conditions or approaching conditions make it unsafe  
11 to continue close to the ~~curb or~~ edge of the roadway, including, but  
12 not limited to, hazards from fixed or moving objects, vehicles,  
13 including the door width of parked vehicles, bicycles, pedestrians,  
14 animals, surface defects and debris, construction zones, and lanes  
15 too narrow for a bicycle and a vehicle to travel safely side by side  
16 within the lane.

17 (4) When approaching a place where a right turn is authorized.

18 (5) If riding near the left-hand ~~curb or~~ edge of the roadway,  
19 when approaching a place where a left turn is authorized.

20 (6) When there is no overtaking traffic, or when traffic is not  
21 able to overtake and pass under the present conditions.

22 (7) *When operating at the speed limit established under this*  
23 *code for the highway.*

24 (8) *When operating at or above the speed of traffic moving in*  
25 *the same direction at the time.*

26 (b) A person operating a bicycle upon a roadway with a single  
27 direction of travel may ride as near the left-hand edge of the  
28 roadway as is prudent and reasonable.

29 (c) Under any circumstances other than those described in  
30 subdivisions (a) and (b), a person operating a bicycle upon a  
31 roadway shall ride as close to the right-hand edge of the roadway  
32 as needed for faster traffic to overtake and pass, if that position is  
33 prudent and reasonable.

34 (d) This section does not prohibit operating bicycles two or  
35 more abreast on the ~~highway~~ roadway, if that operation is  
36 otherwise in compliance with this section.

37 (e) For purposes of this section, a bicycle lane, *as defined in*  
38 *subdivision (b) of Section 890.4 of the Streets and Highways Code,*  
39 *established on a highway under Section 21207 and constructed and*

1 maintained in compliance with Section 891 of the Streets and  
2 Highways Code is part of the highway and the roadway.

3 (f) For purposes of this section, to “pass” means to execute a  
4 passing maneuver at a safe distance from the overtaken bicycle or  
5 vehicle without interfering with the safe operation of that bicycle  
6 or vehicle.

7 SEC. 4. Section 21208 of the Vehicle Code is repealed.

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